

REMARKS

The present Amendment is submitted in response to the Office Action dated November 7, 2008, which set a three-month period for response.

Claims 1-11 are rejected under 35 USC §102(b) over US Patent No. 6,347,218 to Fuhrmann (Fuhrmann).

In response, applicant has amended independent claim 1 to incorporate the subject matter of dependent claim 3, now cancelled without prejudice or disclaimer of subject matter. Claim 2 is amended for formal reasons. Claims 1, 2 and 4-11 remain pending hereinafter.

As amended, independent claim 1 sets forth discussion unit (10) for use in a conference system, wherein the discussion unit (10) is adapted to be connected to at least one second discussion unit (10), and wherein the discussion unit (10) comprises an essentially closed casing (410) and at least one exchangeable portion (420) is configured as at least one closed rim (422) that is removably mounted to the closed casing (410).

Fuhrmann, as distinguished, discloses an electronic device (i.e., mobile phone) with a housing (1) with a device surface (5) with openings (7) to accommodate control elements (8) which extend up and out for user access, and display elements (9,10). An cover (14) at least partially covers the device surface (5) with openings (7) aligned with opening (7) of the device surface (5), and is exchangeable to modify the external appearance of the mobile phone (i.e., device housing (1)).

While the Examiner indicates that Fuhrmann's electronic device comprises a discussion unit for use in a conference system, as claimed, applicants disagree because Fuhrmann's device is a cell phone

For that matter, while the Examiner indicates that the Fuhrmann device housing (1) comprises a closed casing, as claimed, applicants respectfully disagree. Fuhrmann's device housing (1) is not configured as a closed casing, as claimed. Fuhrmann's device becomes a closed casing only after exchangeable phone cover (14) is connected. Applicants' closed casing does not require an exchangeable cover to be connected.

While the rejection of claim 3 asserts that Fuhrmann discloses that exchangeable cover (14) comprises at least one closed rim (Fig. 1, element 4), applicants again respectfully disagree. Fuhrmann's elements (4) are merely openings in surface or wall (5), and do not comprise an exchangeable portion comprising a ring, as claimed. And as mentioned, the claim 3 subject matter is now incorporated into amended independent claim 1.

In view of the fact that Fuhrmann fails to disclose these features, Fuhrmann does not anticipate independent claim 1 as amended under the law. That is, Fuhrmann is not a proper reference under 35 USC §102 pursuant to the guidelines set forth in the last paragraph of MPEP §2131, where it is stated that "a claim is anticipated only if each and every element as set forth in the claims is not found, either expressly or inherently described, in a single prior art reference," and that "the identical invention must be shown in as complete detail as is contained in the ... claim."

Claim 1 is therefore patentable under 35 USC §102(b) over Fuhrmann. Claims 2-11, which depend from amended independent claim 1, are patentable for at least the same reasons. Applicants accordingly request withdrawal of the rejection of claims 1-11 under 35 USC §102(b) over Fuhrmann.

Accordingly, the application as amended is believed to be in condition for allowance. Action to this end is courteously solicited. However, should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Striker', with a long horizontal flourish extending to the right.

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